

E-FILED  
IN COUNTY CLERK'S OFFICE  
PIERCE COUNTY, WASHINGTON

1 January 14 2020 3:40 PM  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11

KEVIN STOCK  
COUNTY CLERK  
NO: 20-2-04253-1

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF PIERCE

13 DANIEL GRAHAM,

14 Plaintiff,

15 No.

16 COMPLAINT FOR INJURIES IN TORT

17 v.

18 SAFEWAY, INC., a foreign corporation, TOTAL  
CLEANING SOLUTIONS, INC., a Washington  
corporation,

19 Defendant.

20  
21 The plaintiff, by and through his attorney of record, Jeffrey Sadler, of SADLER  
22 INJURY LAW GROUP, LLP, alleges and complains as follows:

23 I. PARTIES

24 1.1 Defendant SAFEWAY, INC. was, at all times relevant hereto, a foreign  
25 corporation duly organized under the laws of the State of Washington, and conducting  
26 operations in Pierce County, Washington. All acts, omissions, and conduct complained of  
27 herein were performed or committed by defendant Safeway Inc.'s employees,

COMPLAINT- Page 1

SADLER INJURY LAW GROUP LLP  
705 South 9th Street, Suite 305  
Tacoma, Washington 98405  
Phone: (253) 573-1700  
Facsimile: (253) 573-2848

1 representatives, and/or agents, acting within the scope of their employment and authority for  
2 which Defendant Safeway Inc. has legal liability.

3 1.2 At all times relevant hereto, defendant Safeway Inc. owned, operated, and  
4 maintained the Safeway store located at 707 South 56<sup>th</sup> Street in Tacoma, Washington  
5 (hereinafter "the Store").

6 1.3 Defendant TOTAL CLEANING SOLUTIONS, INC., was at all times relevant  
7 hereto, a foreign corporation duly organized under the laws of the State of Washington, and  
8 conducting operations in Pierce County, Washington. All acts, omissions, and conduct  
9 complained of herein were performed or committed by defendant Total Cleaning Solutions,  
10 Inc.'s employees, representatives, and/or agents, acting within the scope of their employment  
11 and authority for which defendant Total Cleaning Solutions, Inc. has legal liability.

12 1.4 At all times relevant hereto, Defendant Total Cleaning Solutions, Inc. was a  
13 maintenance contractor hired to clean the floors at the above referenced Store.

14 1.5 Plaintiff Daniel Graham was at all times relevant hereto a resident of Pierce  
15 County, Washington.

16 **II. JURISDICTION AND VENUE**

17 2.1 This court has jurisdiction over the subject matter and the parties involved  
18 herein.

19 **III. FACTS**

20 3.1 On October 28, 2018, Daniel Graham was inside the Store as a business  
21 invitee for the purpose of shopping at the Store.

1           3.2    While inside the Store, Daniel was walking through the shopping areas when  
2   he slipped and fell on a wet floor. The floor in the area of his fall was being cleaned,  
3   presumably by Total Cleaning Solutions, Inc. employees.  
4

5           3.3    There were no warning signs or barricades to protect the area from the  
6   deceptive wet and slippery floor. This created an unreasonably unsafe condition at the Store.  
7

8           3.4    Defendant Safeway, Inc. is liable for the actions or inactions of its employees,  
9   representatives, and/or agents under the Doctrine of Respondeat Superior in that its  
10   employees, representatives, and/or agents were acting within the course and scope of their  
11   representation of and/or employment and/or agency relationship with the defendant Safeway,  
12   Inc. when they acted negligently as described above.  
13

#### **IV. DAMAGES**

14           4.1    As a direct and proximate result of the collision and because of the negligent  
15   acts and omissions on part of Defendants, each of them, jointly and severally, Plaintiff  
16   suffered bodily injury causing special and general damages.  
17

18           4.2    As a direct and proximate result of the collision and because of the negligent  
19   acts and omissions of Defendants, each of them, jointly and severally, Plaintiff incurred  
20   medical expenses and other special expenses in an amount to be proven at the time of trial.  
21

22           **WHEREFORE**, Plaintiff prays for judgment against the defendants as follows:  
23

24           1.    For medical expenses and future medical expenses incurred as a result of the  
25   collision caused by the negligence of the defendants.  
26

27           2.    For general damages incurred as a result of the accident caused by the  
28   negligence of Defendants, in an amount to be proven at the time of trial.  
29

30           3.    For special damages in an amount to be proven at the time of trial.  
31

1           4. For costs and disbursements herein to be expended.  
2           5. For such other and further relief as the court deems just and equitable.  
3  
4           DATED this 14<sup>th</sup> day of January, 2020.

5           SADLER INJURY LAW GROUP, LLP

6           By: /s/John L. Messina

7           John L. Messina, WSBA #4440  
8           705 S 9<sup>th</sup> St, Ste 305, Tacoma, WA 98405  
9           253.573.1700 | john@sadler-law.com  
10           Attorney for Plaintiff

11           By: /s/Jeffrey Sadler

12           Jeffrey Sadler, WSBA #27136  
13           705 S 9<sup>th</sup> St, Ste 305, Tacoma, WA 98405  
14           253.573.1700 | jeff@sadler-law.com  
15           Attorney for Plaintiff